

ORIGINAL

United States District Court

FILED IN OPEN COURT
U.S.D.C. ATLANTA

NORTHERN DISTRICT OF GEORGIA

NOV 20 2006

UNITED STATES OF AMERICA

v.

JAMES N. HATTEN, CLERK
CRIMINAL COMPLAINT Deputy Clerk

RONALD NELSON

CASE NUMBER: 1:06-MJ-1464

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about November 19, 2006 in Clayton County, in the Northern District of Georgia defendant(s) did, Track Statutory Language of Offense)

travel across state lines with the intent to engage in sexual activity with a child under 12; and using a facility of interstate commerce, including the internet, attempt to entice a child to engage in unlawful sexual activity

in violation of Title 18 United States Code, Sections 2241(c) and 2422(b).

I further state that I am a Task Force Agent with the FBI and that this complaint is based on the following facts:

Please see attached affidavit

Continued on the attached sheet and made a part hereof.

(X) Yes

() No


Signature of Complainant
Joanne Southerland

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

November 20, 2006
Date

at

Atlanta, Georgia
City and State

C. Christopher Hagy
United States Magistrate Judge
Name and Title of Judicial Officer
AUSA Francey Hakes


Signature of Judicial Officer

AFFIDAVIT

I, Joanne Southerland, being first duly sworn state:

1. I am a Clayton County Sheriff's Office investigator and, as a Special United States Deputy Marshal, I am a member of the FBI Innocent Images Task Force. This task force investigates crimes against children, including the sexual exploitation of children. I have received training from the FBI and the U.S. Department of Justice in the areas of child pornography, pedophilic behavior, and child molesters. I have been involved in searches, seizures and investigations relating to the illegal distribution of child pornography. I have participated in the execution of search warrants and seized evidence that relates to violations of child pornography/child exploitation statutes. I have participated in investigations in which a computer was used to commit violations involving the sexual exploitation of children including, but not limited to the following: 18 United States Code, Section 2251 (sexual exploitation of children); Section 2252 (certain activities relating to material involving the sexual exploitation of minors); Sections 1462, 1470 (transmitting obscene material); Section 2421 (interstate transportation of an individual for illegal sexual activity); Section 2422 (inducement and enticement of a minor to travel

in interstate commerce to engage in illegal sexual activity with a person or the inducement and enticement of a minor by use of an interstate facility to engage in illegal sexual activity with a person) and Section 2423 (interstate transportation for the purpose of engaging in illegal sexual activity with a minor). I know the following principally based on information obtained from my investigation and from other law enforcement officers.

2. This affidavit is made based upon my belief that there is probable cause to believe that Ronald Nelson, also known as (a.k.a.) Ron, also known by Yahoo! Account "ron6351" of 8121 Mossy Oak Drive, Montgomery, AL 36117 has committed violations of Title 18, United States Code, Sections 2422(b) and 2241(c).

3. As a Task Force Agent of the FBI, I am authorized to investigate Title 18, United States Code, Sections 2422(b), and 2241(c).

4. Title 18, United States Code, Section 2422(b) provides that it is unlawful to:

use the mail or any facility or means of interstate or foreign commerce, or within the special maritime and

territorial jurisdiction of the United States to knowingly persuade, induce, entice or coerce any individual who has not attained the age of eighteen (18) years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempt to do so. Title 18, United States Code, Section 2241(c) provides that it is unlawful: for anyone to cross a State line with intent to engage in a sexual act with a person who has not attained the age of 12 years.

THE INVESTIGATION

5. On November 02, 2006, an undercover agent of the Federal Bureau of Investigation (UCA) posed as a 41 year old single mother "Steph," of a ten-year-old girl, "Sydney." The UCA went into a Yahoo! chat room, under the categories of Romance, Adult and Fetishes. The particular chat room the UC entered is a known meeting place for pedophiles. Immediately after entering the chat room the UCA received an unsolicited contact from Yahoo! account "ron6351."

6. In the initial conversation, "ron6351", later self-described as RON initiated the conversation by typing, "nice age... Mama here. Bama here." Steph replied "hey how r u." Ron told Steph that he had met online, several months prior, a

mother with a 14-year-old daughter. Ron claimed to have had sexual contact with both the mother and the 14 year old. Later in the chat, Ron told Steph he would "love for us to meet and you and I have a drink and we sit and talk, if you both like and invite me over then you and her can go slip into something sexy." During the chat, Ron emailed a photograph of three adult men that originated from account ron_nelson@bellsouth.net to Steph. Ron identified himself as one of the men in the photo. Before the message reached its final destination of Steph's e-mail account, the message and photo passed through e-mail account RON6351@hotmail.com.

7. On November 3, 2006 Steph was contacted again by Ron via computer. During this chat session Ron detailed to Steph sexual specific desires he imagined between he, Steph and her child. In particular, Ron wrote: "I take her little hand and place on my cock. Oh yes, tell her to lick head of my cock." In the same chat, Ron asked Steph: "think her little pussy needs my tongue on it? Licking up and down her sweet slit." During this Ron suggested that he travel to meet Steph and Sydney for a sexual encounter. They talked about possible dates and meeting locations.

8. During the November 3, 2006 chat, Ron telephoned the

UCA playing the role of Steph. The 20 minute conversation consisted mostly of small talk. It is very common in these types of investigations for an individual to place a telephone call to confirm the sex of his chat partner.

9. On November 6, 2006, Steph was contacted by Ron via computer. Ron wrote early in the conversation, "milkshakes at McDonalds huh?" Ron and Steph further refined travel plans to Morrow, Georgia. Ron requested hotel information from Steph and suggested: "we could meet on Sunday afternoon."

10. On November 8, 2006, following a computer chat, Ron requested that Steph telephone him. He provided a cellular number of 334-324-0944. The UCA playing the role of Steph telephoned Ron. During the telephone conversation and following chat, Ron instructs Steph that the two should establish a cover story that the purpose of their meeting is strictly for the two adults to meet. Ron indicates that they must be cautious, and that he would lose a lot if it were discovered that he was sexually interested in a child.

11. On November 2, 2006, a subpoena was issued to Yahoo! regarding user account RON6351. Yahoo! responded on November 16, 2006. Account information entered by RON6351 was recorded as: "Ron Wesson" of Montgomery, Alabama, 36117.

The user provided an alternate e-mail account of RON6351@hotmail.com. Internet protocol (IP) logs provided by Yahoo! indicate that on November 2nd, 3rd and 6th, during the times of the chats between Ron and Steph, transmissions associated from Yahoo! account RON6351 emanated from IP address 65.81.128.103.

12. A November 6, 2006 subpoena response from Bellsouth regarding email account ron_nelson@bellsouth.net indicated that the account was associated with the residential DSL account of Ron Nelson, 8121 Mossy Oak Drive, Montgomery, Alabama, 36117. Bellsouth IP logs indicate that the photograph and e-mail sent by Ron on November 2, 2006 to Steph originated from 8121 Mossy Oak Drive, Montgomery, Alabama. Analysis of Yahoo! and Bellsouth IP logs further indicate that during the chats between Ron and Steph on November 2nd, 3rd and 6th, Ron's transmissions originated at 8121 Mossy Oak Drive, Montgomery, Alabama

13. A November 08, 2006 a subpoena issued to Cingular Wireless regarding the phone number 334-324-0944 informed investigators that the account was registered to Ron Nelson; DOB 01-18-1948; SSAN 416-66-6351 of 8121 Mossy Oak Drive, Montgomery Alabama 36117. Service had been established on 04-

19-1999 and was current. Cingular records indicated a contact email account of: ron_nelson@bellsouth.net and an alternate phone number of 334-270-1772.

14. A public records search of telephone number 334-270-1772 indicates an association with Ron and Onie Nelson, 8121 Mossy Oak Drive, Montgomery Alabama, 36117. Recent credit reports indicate that Ron and Onie Nelson currently reside at the address as well.

15. A visual comparison between the photograph e-mailed by Ron on November 2, 2006 to Steph and the photograph of Ronald Nelson, DOB 1-18-1948 of 8121 Mossy Oak Drive, Montgomery Alabama on file with the Alabama department of motor vehicles suggests that they are one in the same.

16. At approximately 4:00 p.m. on Sunday, November 19, 2006 a white male fitting the description of the photograph sent by "ron6351" and driving the automobile described by "ron6351", a red Ford Escape, Alabama tag 3A9840P was observed driving into the Hampton Inn parking lot. "Ron6351" did exit the vehicle and go into the hotel to check into the

hotel room. "Ron6351" made a telephone call to the UCA and did inform her he had arrived and could meet in about 30 minutes. Approximately 20 minutes later, "ron6351" did leave the hotel and did drive to the Subway located on Southlake Parkway, Morrow Georgia. "Ron6351" exited the vehicle and walked thru the parking lot to the entrance of the Subway Restaurant. NELSON was positively identified by agents of the FBI.

17. NELSON was made aware of the identities of the FBI agents and was transported to the Atlanta Office of the FBI and interviewed following a voluntary waiver of his Miranda Rights. NELSON provided his full name as RONALD AUBREY NELSON, born January 18, 1948, living at 8121 Mossy Oaks Drive, Montgomery Alabama. NELSON stated he was married for 17 years and did have one daughter from a previous marriage, Leigh. NELSON stated he was a sales representative with ICI and his job required him to travel a lot. NELSON stated when he left home earlier in the day he told his wife he was going to North Alabama for work.

18. During the interview NELSON admitted he has sole access to the Yahoo Account "ron6351" and no one else had the password. NELSON admitted to meeting Steph online and traveling to Atlanta to meet her and her 10 year old daughter. NELSON stated he did not remember having sexually explicit chats with Steph about her 10 year old daughter. NELSON said he often chatted with moms online and would "go with the flow of the conversation and if they were talking about having sex with their daughter he would not discourage it." NELSON stated "I told her I was coming to meet her". NELSON stated he did not "remember" chatting with Steph about any sexual contact with her daughter but he did remember they chatted and about his opinion on the use of condoms and he did remember her wanting an older man to teach her daughter about things in the bedroom. NELSON stated he took a "Cialis" pill and did drink a beer while he was in his hotel room.

19. Among other items, an inventory of NELSON 's property on his person and his automobile yielded three beaded necklaces located in his front right pants pocket, one Polaroid camera, condoms, several pills NELSON stated were "Cialis" and these were prescribed by his doctor since he had an adverse

reaction to the Viagra. NELSON stated he did discuss condoms during his chat with Steph.

20. For the reasons stated above, I believe RONALD AUBREY NELSON has committed a felony offense, in particular that he has violated Title 18, United States Code, Section 2422(b), Using a facility and means of interstate commerce to knowingly attempt to persuade, induce, entice, and coerce an individual under the age of 18 to engage in criminal sexual activity; and Title 18, United States Code, Section 2241, Aggravated Sexual Abuse.